

Judge Coughenour

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
 MARQUIN THOMPSON,)
)
 Defendant.)

NO. CR09-122JCC

**GOVERNMENT'S
SENTENCING MEMORANDUM**

The United States of America, by and through Jenny A. Durkan, United States Attorney for the Western District of Washington, and Ye-Ting Woo, Assistant United States Attorney for said District, and files this Sentencing Memorandum as to Defendant Marquin Thompson.

I. OFFENSE CONDUCT

Defendant Marquin Thompson entered a plea of guilty to the crime of Human Trafficking, in violation of Title 18, United States Code, Section 1590. This offense involved the defendant's exploitation of a young woman (referenced as Female Victim 1 [FV1]), over a five month period, coercing and compelling the woman to financially support the defendant through acts of prostitution. The underlying facts supporting the plea agreement and the offense of conviction are accurately described in Paragraphs 7 through 19 of the Presentence Report.

1 The defendant's sentencing memorandum, along with the Presentence Report,
2 provide substantial information about the defendant, his background, the challenges that
3 he experienced during his childhood and young adult years. The Court, though, has
4 minimal information about FV1 who has been psychologically scarred from the abuse and
5 trauma imposed by the defendant during the time that FV1 spent with him.

6 At the time that FV1 met the defendant in September 2007, she was a 19-year old
7 who had left home and was living with a friend in a local motel, struggling with her life
8 goals and feeling lonely and in need of direction. FV1 she did not have a job, did not have
9 a stable residence, and she was struggling in her relationship with her mother. FV1 was
10 looking for security and approval. She then met the defendant, who in her eyes, was an
11 older man with confidence and who intrigued her. FV1 had not previously been in a
12 steady relationship with a man. Due to lack of a strong male figure in her life, FV1 found
13 the attention that the defendant brought upon her to be exciting and she thirsted for it.
14 Within a day of meeting the defendant, he proposed having FV1 work as a prostitute as a
15 way of making money and it was an assurance that she would have his attention. FV1 did
16 not know anything about the life of prostitution; she had never been in trouble with the
17 law. The defendant persuaded her that he would look after her, but she had to commit to
18 him fully. He told her the "rules of the game," which included cutting off all ties with her
19 family and friends; she was required to keep the defendant apprised of her whereabouts
20 and her activities at all times; she was to give him nearly all of the money that she made
21 from prostitution; and she could not speak to other men who might be pimps, or other
22 girls who were working as prostitutes. FV1 wanted to please the defendant and sought
23 his approval and attention, so she began working on the "track," namely, walking along
24 Pacific Highway South to attract men who would pay her for sex. At times, the defendant
25 drove her to and from the track. He provided her with the clothing to wear to attract men.
26 The defendant gave her a cell phone so that he could keep in touch with her at all times.
27 He also set the fees for sex services to charge.
28

1 FV1 and the defendant did have an intimate relationship, and FV1 considered the
2 defendant to also be her boyfriend, in addition to being her pimp. The defendant lead
3 FV1 to believe that in order for her to have him as her boyfriend, she had to accept him as
4 her pimp. FV1 later learned that the defendant was not new to the life of pimping. He
5 had previously had other young women who had also worked for him as prostitutes. The
6 defendant made it clear to her that if she violated any of the rules of the game, and was
7 disrespectful of him in any way, she would suffer consequences.

8 These consequences began showing themselves initially through verbal abuse by
9 the defendant, who called her names and denigrated her. Eventually, this increased to
10 slapping and pushing, and in January 2008, when FV1 intimated that she wanted to leave
11 the defendant, he beat her and kicked her in the head and back. Fortunately for FV1, she
12 reached out for her mother who rescued FV1 and contacted the police about the assault by
13 the defendant.

14 During the time that FV1 worked for the defendant, he took her to other cities to
15 work as a prostitute, including Nevada and Arizona. He had FV1 posted in Craigslist, an
16 internet advertisement site, to attract male customers in these other cities. FV1 was
17 arrested multiple times for prostitution, but was too scared to advise the police that she
18 had a pimp for fear of retribution by the defendant.

19 The defendant had "daily quotas" for FV1. The daily quota ranged from \$200 to
20 \$600 a day that FV1 had to earn. The defendant used the money to support his lifestyle,
21 which included drugs and alcohol, interstate travel, car rentals, and hotel rentals. When
22 FV1 was rescued in January 2008, she had a bag of clothing and other minimal personal
23 items; she had not used any of the funds acquired from prostitution to buy clothes,
24 handbags, shoes, electronic items, or other personal items that young women own. In
25 short, FV1 received no benefit from her relationship with the defendant.

26 FV1 has not been the only female exploited by the defendant. In February 2006,
27 the defendant was convicted of Supervision of a Prostitute, in Santa Ana, California. In
28 May 2009, the defendant was identified as a suspect, along with two other adult males, by

1 the Phoenix Police Department in the recruitment of a teenage girl to engage in
 2 prostitution. In August 2009, the defendant was arrested in San Diego for a probation
 3 violation, and was with another young woman who was believed to be involved in
 4 prostitution.

5 Fortunately for FV1, she was reunited with her mother and is now living a stable,
 6 productive life. Yet she continues to struggle with self-esteem issues, fear of men, and
 7 the long-lasting emotional trauma she endured while with the defendant.

8 II. ADVISORY SENTENCING GUIDELINES

9 The government concurs with the advisory sentencing guidelines as calculated by
 10 the Probation Office. The parties agree that the total offense level is 22, and that the
 11 defendant's criminal history category is a V. Thus, the corresponding guideline range is
 12 77 to 96 months. Pursuant to the plea agreement, the government has agreed not to
 13 recommend a sentence higher than 96 months.

14 III. GOVERNMENT'S SENTENCING RECOMMENDATION

15 The government recommends a sentence at the high-end of the range, of 96
 16 months of imprisonment, to be followed by a period of supervision of three years. The
 17 defendant has agreed to pay restitution in the amount of \$7,814.53 to FV1. A mandatory
 18 assessment of \$100 is required.

19 The government analyzed the factors under Title 18, United States Code, Section
 20 3553(e) in deciding that a sentence of 96 months is a sentence that is sufficient but not
 21 greater than necessary to meet the goals and purposes of sentencing. The defendant is not
 22 an immature young man who was misguided and made a mistake in his relationship with
 23 his girlfriend so that he could merely use drugs. The defendant had been in and out of
 24 local jails before he met FV1; he had also previously been involved in promoting
 25 prostitution of other females. The defendant specifically targeted FV1 because he learned
 26 that she was homeless and vulnerable to being controlled and exploited. He took
 27 advantage of this vulnerability and gained FV1's trust and need for male approval. The
 28 nature and seriousness of the offense dictates a sentence at the high-end of the advisory

1 guideline range. The fact that the defendant lived a disadvantaged life that was mired by
 2 poverty and drug addiction provides us with an understanding of where and why his life
 3 took a wrong turn. But it does not excuse the harm and abuse that he imposed upon an
 4 innocent young woman who was merely looking for acceptance and approval.

5 IV. WAIVER OF APPEAL

6 Pursuant to Paragraph 15 of the parties's Plea Agreement, the defendant has
 7 agreed to waive his right to appeal the conviction and sentence if this Court imposes a
 8 sentence within or below the advisory guideline range. The government respectfully
 9 requests this Court to remind the defendant, at sentencing, of his waiver of appeal.

10 DATED this 27th day of April, 2010.

11 Respectfully submitted,

12 JENNY A. DURKAN
 13 United States Attorney

14 s/YE9
 15 YE-TING WOO
 16 Assistant United States Attorney
 17 700 Stewart Street, Suite 5220
 18 Seattle, WA 98101-1271
 Telephone: (206) 553-2268
 Fax: (206) 553-0755
 E-mail: Ye-Ting.Woo@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify on April 27, 2010, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the attorney of record for the defendant.

s/ Ye-Ting Woo
State Bar Number 21208
United States Attorney's Office
700 Stewart Street, Suite 5220
Seattle, WA 98101
Telephone: 206-553-2268
Fax: 206-553-0755
E-mail: Ye-Ting.Woo@usdoj.gov